

MINUTES

City of Carrollton

Mayor and Council Meeting

Monday, May 2, 2005
6:00 p.m.

**Public Safety Complex
Court/Council Chambers
115 West Center Street, Carrollton, Georgia**

I. CALL TO ORDER

The Mayor and City Council met in a regular session on Monday, May 2, 2005 at 6:00 p.m. in the Public Safety Annex Building, 115 West Center Street, Carrollton, Georgia. Mayor Garner called the meeting to order at 6:00 p.m. Members present: Mayor Wayne Garner, Councilmember Peter Balega, Councilmember Gerald Byrd, Councilmember Rusty Gray, and Councilmember Mandy Maierhofer. Members absent: None

II. INVOCATION

Councilmember Byrd offered the invocation.

III. MINUTES April 12, 2005

Motion by Councilmember Gray, seconded by Councilmember Byrd to approve the Minutes of the April 12, 2005 meeting. (Motion passed 5-0).

IV. ITEMS OF DISCUSSION

1. Employee Eddie Mitchell Recognition "2004 TopOp Award"

Chief Water Plant Operator Eddie Mitchell was recognized by the Mayor and Council for his recent accomplishment of the Georgia Water & Pollution Control Association (GW&PCA) District 3 "2005 TopOp Award". Assistant City Manager Grizzard presented the award to Mr. Mitchell and reported that the award is given to one Water Plant Operator in each of the nine (9) GW&PCA Districts in Georgia who has exemplified outstanding performance. Asst. Manager Grizzard also noted that Mr. Mitchell had competed with other Water Plant Operators in District 3, which included the Metropolitan Atlanta area. The Mayor and Council offered their congratulations to Mr. Mitchell and expressed appreciation for his hard work.

2. Rezoning Request

Property Location: 205 Wedgewood Drive

Petitioner: Robert Stone

Community Development Director Tracy Dunnavant presented a rezoning request by Robert J. Stone for property located at 205 Wedgewood Drive. Director Dunnavant noted that the petitioner was asking for the rezoning of 13.29 acres with an OI (Office and Institutional) zoning designation for office space. Director Dunnavant stated that the Planning Commission has reviewed the application in terms of the standards for rezoning and recommends approval of the application. At this time Mayor Garner opened the Public Hearing to receive citizen input on the matter. *Those speaking opposed:* None. *Those speaking in favor:* None. There being no additional questions from the Council on the matter, Mayor Garner called for a vote. **Motion by Councilmember Gray, seconded by Councilmember Maierhofer to re-zone the**

property located at 205 Wedgewood Drive (13.29 acres) to OI (Office and Institutional) zoning designation. Motion passed (5-0).

3. Special Exception Request

Property Location: 183 Horsley Mill Road

Petitioner: Jerry and Debbie Sanders

Director Dunnivant presented a Special Exception Request by Jerry and Debbie Sanders for property located at 183 Horsley Mill Road. The petitioner is asking to tear down and replace the existing residence currently located in an M-2 zoning district. Director Dunnivant stated that the Planning Commission has reviewed the application and recommends approval of the request. At this time Mayor Garner opened the Public Hearing to receive citizen input on the matter. *Those speaking opposed: None. Those speaking in favor: None.* There being no additional questions from the Council on the matter, Mayor Garner called for a vote. **Motion by Councilmember Gray, seconded by Councilmember Maierhofer to approve the Special Exception Request to tear down and replace the existing structure at 183 Horsley Mill Road. Motion passed (5-0).**

4. Amendment to Conceptual Drawing and Sidewalk Waiver

Property Location: Student Apartments off Columbia Drive

Petitioner: George Connell III

Director Dunnivant presented a proposed amendment to a conceptual plan by Mr. George Connell III for student apartments located off Columbia Drive. The petitioner is asking to amend his existing plan by reconfiguring the layout of the proposed buildings, creating additional parking and relocating the clubhouse and amenities area. Director Dunnivant noted that the proposed design has changed; however, the number of units, density, and phasing will remain the same as well as the conditions and waivers associated with the zoning. Director Dunnivant reviewed the history of the project, noting that based on the condition of zoning approved in May of 2000, a site plan for each phase associated with the project is required to be submitted to the Mayor and Council for their review and approval. The conceptual plan was approved by the Mayor and Council in November of 2003. Director Dunnivant noted that since the plan would be significantly altered, the changes must be approved by the Mayor and Council prior to the developer moving forward with the permitting process. Director Dunnivant stated that Mr. Connell requested to amend the waiver by building the sidewalk north on Columbia Drive, noting that Mr. Connell had encountered issues during the design phase of the sidewalk, which dramatically changed the cost and scope of the project. At this time Mayor Garner opened the Public Hearing to receive citizen input on the matter. *Those speaking opposed: None. Those speaking in favor: George Connell presented the existing plan and the proposed reconfiguration. Mr. Connell explained that he had experienced problems with the original contractor and he reexamined the site plan in an effort to create the best possible student housing community. The number of units has stayed exactly the same, with the number of buildings reduced from 14 to 10. Mr. Connell pointed out that the building configuration was condensed to have less impervious surface area and would vastly increase the greenspace. Mr. Connell requested that the City permit him to install the sidewalk (exaction fee waiver requirement) north on Columbia Drive to the soccer fields off Beulah Church Road instead of South down Columbia Drive to the existing sidewalk. Mr. Connell stated that construction of a sidewalk on Columbia Drive would require a pedestrian red-light crossing since the sidewalk would cross a Georgia DOT road. City Manager Coleman stated that the soccer fields located on Beulah Church Road were temporary fields only. Several Councilmembers stated their concerns of having a sidewalk installed that led to "no where". At this time, Councilmember Gray explained that he was on the Council at the time the exaction fee waiver was made by the Council and stated that the intent was*

to have the developer install sidewalks to the University campus in leau of paying the exaction fee. Following a lengthy discussion about the waiver, **Motion by Councilmember Maierhofer, seconded by Councilmember Gray to approve the amendment to the site plan as presented and authorize the City Manager and the Community Development Director to work out the details of the sidewalk and present the issue again at a future meeting. Motion passed (5-0).**

5. Resolution 04-2005 – Alcohol Code Amendment

City Manager Coleman presented for consideration a Resolution amending the Alcohol Code to allow the City Manager to approve “Special Alcoholic Beverage Event Permits” for events at the Old City Gym located on North Cliff Street. City Manager Coleman reported that the renovation of the Old City Gym on North Cliff Street has been completed and will seat as many as 300 people for special events such as weddings and other approved occasions. City Manager Coleman stated the ordinance is basically unchanged, except that with the approval of the City Manager, alcohol may be served at certain events at the Old City Gym, under the same circumstances as he may approve for the Cultural Arts Center at the present time. **Motion by Councilmember Byrd, seconded by Councilmember Maierhofer to approve Resolution 04-2005 amending the Alcoholic Beverage Code. Motion passed (5-0).**

6. Resolution 05-2005 – Sign Ordinance Amendment

City Manager Coleman presented for consideration a Resolution amending the Sign Ordinance. City Manager Coleman reminded everyone that the amendment was brought before the Council last month for consideration, noting that the item had been postponed for action to allow for further review of the document. Mayor Garner inquired to the number of signs under current consideration for permit, and if any of those applicants had spent a significant amount of money complying with the current Sign Ordinance. Engineering Superintendent Ryan Lawler stated that he believed there were three (3) or (4) four applications currently and the money spent had most likely been in the design phases of the application. With no additional questions or comments from the Council, and no motion made on the matter, Mayor Garner postponed the matter for consideration. **(CLERK NOTE: FOLLOWING ITEM 8 COUNCILMEMBER MAIERHOFER WAS GRANTED PERMISSION BY MAYOR GARNER TO RE-VISIT THE SIGN ORDINANCE AMENDMENT ISSUE.)** At this time, Councilmember Maierhofer stated she was ready to make a motion on the matter. **Motion by Councilmember Maierhofer, seconded by Councilmember Gray to adopt the Resolution amending the Sign Ordinance and make known that any signs pending must comply with the newly amended Sign Ordinance. Motion passed (5-0).**

7. Meter Replacement Program

Assistant City Manager (ACM) Grizzard reported that a detailed study of the small meters within the Carrollton Water System had recently been completed. The study reflected that the system contains approximately 3500 Badger meters, approximately 1470 Sensus Multi-Jet meters and approximately 3200 Neptune meters. Testing of the meters has determined that, mostly due to age, the Badger and Sensus Multi-Jet meters need to be replaced. City Staff has evaluated the best approach to replacing the meters will be to develop a meter replacement program for the system. ACM Grizzard stated that using in-house labor to replace the meters will be the least cost effective because of the revenue lost over the time that it will take. ACM Grizzard also noted that proposals had been reviewed from Johnson Controls using new Badger meters with options of both conventional display and radio-read; Delta Municipal Supply using new Neptune meters with options of both conventional display and radio-read; and Mainline Supply using new Hersey meters with both conventional display and Itron radio-read. Based on a cost analysis performed it was determined that the best scenario for the system is to

use in-house meter readers and contract with Delta Municipal Supply to replace the Badger and Sensus Multi-Jet meters with Neptune meters. ACM Grizzard stated it was recommended to the Mayor and Council that City Management be allowed to enter into a contract with Delta Municipal Supply for the replacement of approximately 4950 meters. ACM Grizzard further added that the contract would be written in the best interest of the City and would include performance bonding for the installation to occur in a timely manner. ACM Grizzard stated the estimated cost of the project to be around \$550,000 and noted that the estimated project would pay for itself in a short period of time. At this time Councilmember Balega inquired as to whether a meter replacement fee had been changed on water bills previously. City Manager Coleman stated he believed the fee Councilmember Balega was referring to was the backflow prevention device fee which had been discontinued. With no further discussion, ***motion by Councilmember Maierhofer, seconded by Councilmember Balega to authorize the City Manager and Assistant City Manager to choose who they see as appropriate to complete the Meter Replacement Program. Motion passed (5-0).***

8. Carroll County Health Board Appointment (1)

Motion by Councilmember Byrd, seconded by Councilmember Maierhofer to re-appoint Mr. Loy Howard to the Carroll County Health Board (Term expiring 12/31/10). Motion passed (5-0).

At this time Mayor Garner granted permission to Councilmember Maierhofer to revisit the Sign Ordinance Amendment issue. **(CLERK NOTE: SEE ITEM 6 FOR MOTION MADE ON THE ISSUE.)**

V. MAYOR AND COUNCIL ANNOUNCEMENTS

Councilmember Byrd expressed appreciation to City Manager Coleman for always being available to help solve his constituent's issues at anytime day or night. Councilmember Byrd thanked Council members' Balega and Maierhofer for attending his recent art show. Councilmember Byrd presented a Proclamation to Ms. Anita Elder for her efforts in coordinating the first annual African American Men's Health Seminar. The seminar was held in March to promote health awareness and education in men with the focus on African American Men.

Councilmember Balega requested consideration be made at a future Council Meeting on incorporating the Water Quality Commission's recommendations into the City's 5-year plan.

VI. CITY MANAGER ANNOUNCEMENTS

There were none.

VII. CITIZEN COMMENTS

Mr. Charlie Drummond requested the Mayor and Council consider creating and/or applying a cruising law. Mr. Drummond cited loud offensive music, and traffic congestion in the West Carrollton area, further adding concerns of passage of emergency vehicles in the event of an emergency situation. Councilmember Byrd shared his concerns on the matter, stating that if such a law is created or enforced it would be done City-wide. Mayor Garner expressed his appreciation to Mr. Drummond for bringing the issue to the Council and added the matter would be addressed immediately.

VIII. ADJOURN

There being no further business to come before the Mayor and City Council, the meeting adjourned at 6:53 p.m.